

1. Discussion Objective:

Work Session Date: June 6, 2011

The Town of Fort Myers Beach is required to undertake an Evaluation and Appraisal Report (EAR) to review the effectiveness of the Comprehensive Plan every 7 years. Town staff began the EAR process in February 2011. During the 2011 legislative session changes were made to the Statutes governing the Evaluation and Appraisal Report process. This presentation is a review of the process Town Staff will be implementing as part of the EAR process and the effect of the changes made by the Legislature.

2. Submitter of Information:

- ☐ Council
- ☒ Town Staff – Community Development
- ☐ Town Attorney

3. Estimated Time for this item:

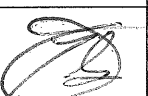
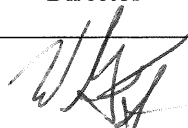
45 minutes

5. Background:

The Evaluation and Appraisal Report is required by State Statute to be conducted every 7 years. In compliance with this requirement Town Staff are working to conduct a review of the existing comprehensive plan to prepare an Evaluation and Appraisal Report. During the 2011 legislative session numerous changes were made to the Growth Management Act, which among other things governs Evaluation and Appraisal Report. As a result of these changes, staff has had to re-evaluate its process and make adjustments to ensure the process reflects the new requirements. This presentation will review the process Town staff is implementing and the effects the changes to the Growth Management Act have had on the EAR process.

Attachments

1. Memorandum
2. Community Visioning Workshop Advertisement
3. Public Input Survey

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Cultural Resources Director	Town Clerk
						



Town of Fort Myers Beach

Memorandum

From: Walter Fluegel, Community Development Director
Tina Mayfield Ekblad, Planning Coordinator

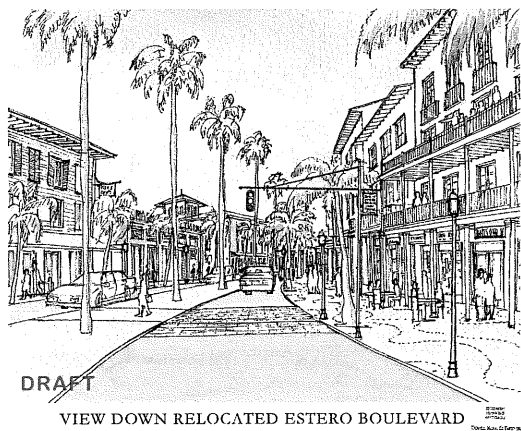
Date: 05/25/2011

Re: Vision Our Town! Evaluation and Appraisal Report

Communities change through time. In an effort to address these changes, Florida Statute requires, "each local government [to] adopt an evaluation and appraisal report (EAR) once every seven years assessing the progress in implementing the local government's comprehensive plan." The report evaluates how successful a community has been in addressing major land use planning issues within the community through the implementation of the comprehensive plan. Based on this evaluation, the report suggests how the plan should be revised to better address community objectives, changing conditions and trends affecting the community, and changes in state requirements.

Introduction

In compliance with State Statute, the Town of Fort Myers Beach is evaluating the Comprehensive Plan. The Plan is the blueprint for how development will occur in the future and what the community will look like in the next 10 to 25 years. We are seeking community input from residents, business owners, property owners, and visitors. A survey has been published (attached as Exhibit 1) and a Visioning Workshop is scheduled for June 2, 2011 (Flier attached as Exhibit 1). These activities are in an effort to identify the collective vision of the community. In essence, staff hopes to successfully address the central question, "What will the Town look like for future generations?"

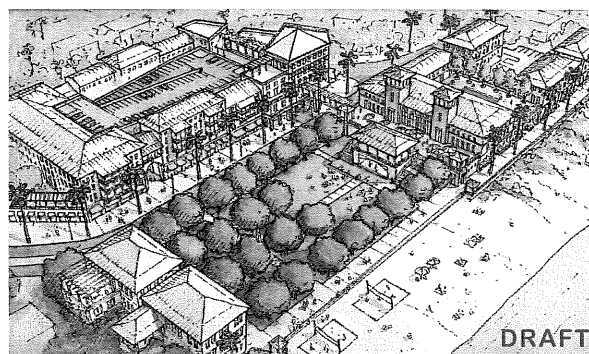


The Department of Community Development has prepared a survey for all residents, business owners, property owners, and visitors to provide input on various issues affecting the Town through the Comprehensive Plan. Surveys have been made

available electronically through the Town's website and e-mail and hard copies are provided to anyone inquiring at Town Hall.

In addition to collecting public input from the published survey, staff has invited the public to Vision Our Town! a community visioning workshop to evaluate and improve the Comprehensive Plan on June 2, 2011. Community Development Staff, in cooperation with LaRue Planning & Management Services, will conduct the visioning session to discuss topics with the public in an effort to evaluate the effectiveness of and identify improvements to the Town's existing Comprehensive Plan.

The Visioning Process is organized to encourage residents, business owners, land owners, associations, non-profit organizations, and other parties to work together on specific topics. Together these groups will identify and address community issues and develop a vision of what the Town of Fort Myers Beach should look like in the future. Small groups will work with planners and facilitators during the workshop to identify, discuss, and develop ideas to address the community issues the small group deems to be the most important. Once all the small groups have completed their assessment they will be shared with the larger group to identify the issues that are of the highest priority. The Town will then use this priority list to review the Comprehensive Plan and identify necessary revisions.



VIEW OF BEACH PARK

Legislative Changes

The close of the 2011 Legislative Session on May 7, 2011 brought about major changes to the Growth Management Act – the document that governs local comprehensive plans, including the Evaluation and Appraisal Report Process. House Bill 7207 outlines the following changes:

Evaluation and Appraisal Report

Eliminates the requirements for local governments to address:

- Population growth
- Changes in land area since the most recent update
- Extent of vacant and developable land
- Financial feasibility of implementing the plan and needed infrastructure to maintain level of service standards
- Ability to address infrastructure backlogs and meet growth demands

- Location of existing development compared to the original plan or most recent amendment
- Whether the plan objectives within each element have been achieved and the successes and shortcomings of each
- Identification of alternative water supply projects and traditional water supply projects. Discussion of the work plan associated with both
- The effect of reductions on land use density as a result of coastal high-hazard area planning programs
- Transportation facilities and possible changes needed to measure impacts on these facilities

Local governments are still required to review their comprehensive plan at least once every 7 years to determine if any changes in state requirements necessitate any amendments, and the state must be notified of the determination. A local government may not update its comprehensive plan if the determination letter is not submitted as required. The changes to the Growth Management Act promote a community based approach for the EAR process, which enables staff to focus on working with the public to identify and solve community based issues.

EAR Based Amendments

If a local government determines that amendments to its comprehensive plan are needed as a result of the Evaluation and Appraisal Report Process, it must transmit the amendments within one year and the amendments will be evaluated under the state Coordinated Review Process; which has been amended to follow the process below.

- The Department of Community Affairs is no longer required to review transmitted amendments. If DCA chooses to review the transmitted amendments, an Objections, Recommendations, and Comments (ORC) Report must be published within 60 days of receipt of the amendments.
- After receiving information from the local government in response to the ORC, DCA has 45 days from receiving the complete amendment package to make a compliance determination. DCA can challenge the amendments within 45 days of notification that an amendment package is complete.
- Once a compliance determination is made, a Notice of Intent will be published on DCA's website. The amendments will go into effect pursuant to the Notice of Intent.
- Challenges can be made by the state regarding a local governments amendments; however, the burden is placed on the state to demonstrate noncompliance. A third party may challenge the amendment within 30 days of adopting but the state land planning agency cannot intervene.

Community Development Project Outline

As a result of the legislative changes that have occurred to the Growth Management Act, the Community Development Department has revised the scope of work associated with the Town of Fort Myers Beach Evaluation and Appraisal Report to reflect the following.

Public Participation

The public input survey has been published to the Town Website and is available at Town Hall. Preliminary results are being tallied as the initial responses are received. The first visioning workshop is scheduled for June 2 at 5:30 to work with resident's to identify the community's major issues. Contact is being made with stakeholder groups to set meeting times with these groups to discuss what they view to be the major issues with the Comprehensive Plan. Stakeholders groups include, Downtown/Times Square business owners, Civic Association, Condo Associations, Chamber of Commerce, etc. A second visioning session is tentatively scheduled for the 3rd week in July.

Evaluation of the Comprehensive Plan

Town Staff will utilize the input gathered from the public surveys, visioning workshop, and stakeholder meetings to develop a letter to the Department of Community Affairs providing notice of the amendments anticipated. Next, staff will conduct an in depth review and analysis of the Town's Comprehensive Plan to identify the elements and specific goals, objectives, and policies that will need to be amended as a result of the public participation process. Staff will present the conclusions of the analysis to the Local Planning Agency and to the Town Council. Based on the input received from the LPA and Council amendments will be developed and presented to the local planning agency and Town Council for review and comment.

Presentation of the Revised Comprehensive Plan

After presenting the amendments to the LPA and Town Council, staff will review and if necessary revise the amendments based on the comments received. Next, staff will conduct a second series of workshops to present the public the amendments that have resulted from this summer's public participation efforts. At this time, comments from the public will be taken and evaluated to determine if additional revisions to the comprehensive plan are needed.

Amendment Adoption

Once the additional revisions are completed, the proposed amendments will be presented to the LPA and to Council as an Ordinance during the public hearing process. The LPA will advise the Council as to whether or not the amendments should be adopted as presented or if further revisions are necessary. Council after two public hearings shall decide whether or not to adopt the proposed amendments and to transmit the package to the Department of Community Affairs to begin the State Coordinated Review Process.

Preliminary Assessment

As a result of interaction with residents, business owners, land owners, consultants, Advisory Committee Members and Town Council Members, Town staff are aware of some major issues that need to be addressed during the Evaluation and Appraisal Report Process. These issues include:

1. The Future Land Use Element – the FEMA regulations and maps regarding floodplain management were amended in 2008 to incorporate additional lands into the V-zone. As a result, much of the beach front and Times Square is currently within a V-zone. If significantly damaged during a storm event buildings in these areas would be required to be redeveloped above base flood elevation, which varies between 17 and 13 feet in elevation. The only activities allowed under the base flood elevation in this zone would be parking and storage. What does this mean for the businesses in Times Square? What effect does this scenario have on the economic viability of this area? What redevelopment issues need to be considered? What incentives can be provided for pre-disaster elevation/buildback?
2. Estero Boulevard – Is there still a strong consensus to make Estero Boulevard friendlier to bicyclists, pedestrians, and to incorporate transit, as with past visioning efforts? With the Complete Streets movement gaining acceptance, what design options are available today to improve Estero Boulevard? What options are available for transit and parking either on or off island to reduce vehicular trips? What options are available to finance improvements?

Additional issues will be identified as a result of the public input survey, community visioning workshops, and meetings with stakeholder groups.

Comprehensive Plan

The Town of Fort Myers Beach's Comprehensive Plan was approved in 1999 and in the same year received an award from the Florida Planning and Zoning Association for an Outstanding Public Report. The previous Evaluation and Appraisal Report approved in 2009 began in 2005 with public meetings, charettes, and visioning workshops to address issues identified by residents, business owners, land owners, and other members of the public. The Town continues this precedent with its 2011 efforts to evaluate the Comprehensive Plan.

Background

The Town of Fort Myers Beach Comprehensive Plan is a visioning document for what the Town will look like in the future. This vision is guided by the Goals, Objectives and Policies of the Plan, which future development, improvements, and redevelopment must abide by. The Plan organizes the vision into elements based on topic, one of the most important elements to future development, improvements, and redevelopment are the 9 Future Land Use Categories. Proposals and applications received for projects must be consistent with the Future Land Use Category within which the property is located.

1. Low Density – for existing subdivisions with an established low density character (primarily single family homes). New development allows a maximum density of 4 dwelling units per acre and limits commercial activities to uses that do not attract customers or generate traffic.
2. Mixed Residential – for older subdivisions with mixed housing types on smaller lots, newer high rise buildings, and mobile home and RV parks. New development is allowed at a maximum density of 6 dwelling units per acre and commercial activities are limited to lower impact uses.
3. Boulevard – is a mixed use district along portions of Estero Boulevard, including less intense commercial areas, historic cottages, and mixed housing types. For new residential development, the maximum density is 6 dwelling units per acre. The category is not intended to allow commercial on all properties; instead a mixture of uses is envisioned permanently.
4. Pedestrian Commercial – is a primarily commercial district that is applied to the intense activity centers of Times Square (including Old San Carlos and nearby portion of Estero Boulevard) and the area around Villa Santini Plaza. New development is allowed at a maximum density of 6 dwelling units per acre. Commercial activities are permitted and residential uses are encouraged on upper floors above the commercial use.
5. Marina – is designed for prime sites that can provide access to valuable waters around Fort Myers Beach. Enables services for recreational boating, include related uses provided they don't displace recreational marina services.

6. Recreation – applied to public parks, schools, undevelopable portions of Bay Beach, and those parts of the Gulf Beaches that lie seaward of the 1978 coastal construction control line. No new residential development is permitted. Maximum density of residential development is 1 dwelling unit per 20 acres, with all dwelling units to be constructed outside the recreation category. Allowable uses include parks, schools, libraries, bathing beaches, beach access points, and related public facilities.
7. Wetlands – is a conservation district applied to all remaining wetlands. Maximum density of residential development is 1 dwelling unit per 20 acres. Other allowable uses, if compatible with wetland functions, are passive recreation, walking access to tidal waters, and restoration of degraded habitat.
8. Tidal Waters – applied to all saltwater canals and all waters surrounding Estero Island that lie within the municipal boundary. No residential development is permitted. Allowable uses are water sports, boating, swimming, fishing, and similar uses.
9. Platted Overlay – is not a separate category but is applied in addition to one of the categories above. In areas where a platted overlay exists a maximum residential density is increased. The higher density level applies to the Pedestrian Commercial category only for affordable units consistent with the adopted redevelopment plan and in other categories it only applies to recognize existing dwelling units which were built legally but would be considered non-conforming under a density cap of 6 units per acre.

In addition to these regulations and requirements the Plan also provides Goals, Objectives, and Policies related to:

1. Commercial Design – Describes how each physical piece of the Town (open spaces, building, streets, paths) will work together to achieve a coherent whole, creating a special character and enhanced livability for residents and guests. The element reinforces small town character of the Town as a place where permanent residents coexist comfortably with tourism. The guiding policies reflect balance between neighborhood needs, economic vitality, and tourist development as well as the balance between moving cars and all other types of movement.
2. Coastal Management – Supports the protection of coastal resources as well as human life and property. Includes policies related to natural disaster planning, floodplain management, beach erosion, public access, marina siting, and harbor related issues.
3. Conservation – Seeks to promote a balance between human use of the beaches and the protection of natural resources through stewardship, education, incentives, and regulation. Policies include direction to protect and enhance

Matanzas Pass Preserve, wetlands, estuaries and bays, coastal uplands, air quality, soil, and groundwater and protected species.

4. Transportation – Attempts to address many transportation issues, with attention to the traffic congestion that occurs every winter. Provides an explanation of traffic congestion to enable public understanding of the available alternative and their potential side effects. Identifies approaches that will provide the most benefit to the community and suggests actions the Town should take to support these approaches.
5. Utilities – Conducts an analysis of the availability of public facilities to meet the existing and future needs of the Town. Focuses on Potable water, sanitary sewer, and solid waste disposal service. Seeks to ensure the Town makes proper provisions for continuing high quality service into the future.
6. Stormwater Management – Provides policies regarding drainage and management of rainfall and stormwater, water quality, stormwater conveyance systems, best management practices, and level of service for flood protection. This section reviews issues specific to the Town and offers alternatives to address these items.
7. Recreation – Sets direction for recreation, open space and cultural resources within the Town. Policies provide direction to establish a balance between residents and visitors and natural systems and to develop strategies that ensure natural resources continue to be viable ecologically and recreationally for future generations. The section also addresses level of service for community parks to meet the needs of residents and visitors alike.
8. Capital Improvements – Evaluates the public facilities proposed in other elements of the Plan and provides priorities implementation as well as possible funding sources. This element is updated to accurately reflect proposed, on-going, and completed projects.
9. Housing – Establishes the housing needs of the Town and provides methods to meet these needs. Policies seek to keep a wide variety of housing types available to people at all stages of their lives. The section also discusses the affordable housing available within the Town and highlights programs offered at the Federal, State, and County level to support affordable housing.
10. Historic Preservation – Describes the history of Fort Myers Beach and provides a guide for preservation. Policies seek to enhance the natural, historic and cultural systems of the Town and ensure their sustainability for future generations. This section seeks to identify historic structures and identify opportunities to further the vision for the Town through preservation of historic resources.
11. Intergovernmental Coordination – Describes the relationships between the Town of Fort Myers Beach and other governmental agencies. The purpose is to improve

coordination, identify and resolve incompatible goals, and policies, and present opportunities for enhanced coordination.



Vision Our Town!

PLEASE JOIN LARUE PLANNING &
MANAGEMENT SERVICES AND THE
TOWN OF FORT MYERS BEACH FOR A

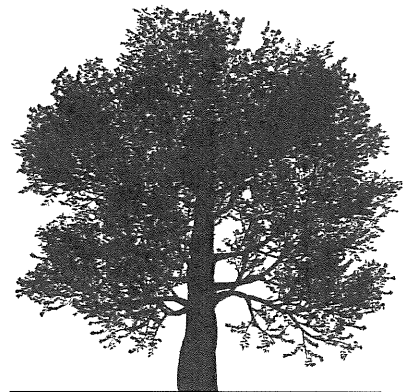
June 2, 2011

COMMUNITY VISIONING WORKSHOP!



The Town of Fort Myers Beach, in cooperation with LaRue Planning & Management Services, invites you to Vision Our Town! a community visioning workshop to evaluate and improve the Town of Fort Myers Beach Comprehensive Plan.

Attendees will review preliminary results of the public input surveys, identify community issues, develop alternatives, and establish priorities in an effort to evaluate and improve the Town's Comprehensive Plan.



BAY OAKS
RECREATIONAL CAMPUS



2731 Oak Street

5:30pm Refreshments

6pm Presentation

7pm Group Sessions

Please call for additional information



Community Development
Department

2523 Estero Boulevard
Fort Myers Beach, FL 33931

P: 239.765.0202
www.FortMyersBeachFL.Gov



Town of Fort Myers Beach
Community Development Department

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Town of Fort Myers Beach Update of the Comprehensive Plan Survey

The Town of Fort Myers Beach is updating its Comprehensive Plan, the blueprint for how development will occur and how our community will look over the next 10 to 25 years. We would like your input and thoughts so that we can prepare a plan that will reflect the desires of our citizens, property owners, and visitors.

1. Do you live in the Town of Fort Myers Beach for more than 6 months per year? ☐ Yes ☐ No

If "yes" skip to Question #4

2. If "no" to question #1: How long do you usually stay in the Town of Fort Myers Beach per year?

☐ Less than 1 month ☐ More than 1 month but less than 3 months ☐ 3 to 6 months

3. If "no" to question #1, which of the follow best represents why you are in Fort Myers Beach:

☐ Employed/ work in Town ☐ Visiting

Other, please explain

4. Do you own or rent the unit you live or stay in? ☐ Own ☐ Rent

5. Besides the residence you live in, or unit you may stay in during a visit, do you own any other property in the Town of Fort Myers Beach? ☐ Yes ☐ No

6. Is this your first year living in the Town of Fort Myers Beach or the first time visiting the Town?

If "no" skip to Question #8 ☐ Yes ☐ No

7. For how many years have you been living in or coming to visit the Town of Fort Myers Beach ?

Years

8. Regarding the livability of the Town of Fort Myers Beach, how important to you are each of the following?

Very Important

Somewhat Important

Unimportant

Compact Community an area where shopping opportunities are close to each other and mixed use is encouraged. An area to live, work, play.

☐

☐

☐

Mixed Use Development residential and commercial uses are located in the same building

☐

☐

☐

8. Continued

Regarding the livability of the Town of Fort Myers Beach, how important to you are each of the following?

	Very Important	Somewhat Important	Unimportant
Many Diverse Shopping Opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vibrant and Active Downtown Area	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Plazas and Outdoor Entertainment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Outdoor Amphitheater	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Incentives for small businesses to improve their properties/ buildings	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sustainable or "green" community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sidewalks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bicycle Paths/ Bikeways	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Public Transit (for example, the Trolley)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bus Shelters for Trolley	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access to Beaches and the Bay	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Availability of Boat Rentals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9. What types of transportation facilities do you expect to use when traveling on the island over the next 10 to 25 years? Check all that apply.

☐ Trolley ☐ Bicycle Paths/ Bikeways ☐ Sidewalks ☐ More lanes on Estero

☐ Other

10. How would you prefer that the Town of Fort Myers Beach and Lee County spend public funds for transportation improvements over the next 10 to 25 years?

	High Priority	Moderate Priority	Low Priority	No Opinion
Expand Estero Boulevard to add more vehicle lanes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide more sidewalks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Expand the Trolley Service	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Widen Sky Bridge	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide additional parking opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

11. Based on your observation of the Town of Fort Myers Beach as it is now, what is your opinion of the amount of land devoted to each of the following types of uses?

	Too Much	About Right	Need More	No Opinion
Single-family Residential Homes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Condominium Residences	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Commercial Uses (shopping, services, food and beverage establishments, offices)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mixed Use Development (commercial and residential uses)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hotel and Motel Units	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Natural areas, Open Space, and wildlife habitat	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Civic Spaces (parks, pedestrian plazas, & outdoor entertainment)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Activity Centers (Such as Times Square & Old San Carlos)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

12. Please rank each of the following issues in order of their importance to you. Put a 1 in the cell of the most important issue, followed by a 2 in the cell for the next important, and so on for 3, 4, 5, and finally 6 for the least important issue. If there are other issues important to you, add them in the blank lines of the chart.

Quality of Infrastructure and Services (Roads, utilities, fire/police, etc.)	<input type="text"/>	Traffic Congestion	<input type="text"/>
Cost of Infrastructure and Services (Roads, utilities, fire/police, etc.)	<input type="text"/>	Changing Community Character	<input type="text"/>
Commercial Intrusion into Residential Neighborhoods	<input type="text"/>	Preservation of remaining Natural Environment	<input type="text"/>
<input type="text"/>		<input type="text"/>	
<input type="text"/>		<input type="text"/>	

13. What three things would you most like to see the Town of Fort Myers Beach do to improve quality of life?

-
-
-

14. Should the Town of Fort Myers Beach have uniform architectural character? ☐ Yes ☐ No

If "yes" what do you think it should be and why?

15. If you would like to receive more information about the Town's updating of the Comprehensive Plan, please provide your e-mail address below:

